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March 2, 2017

RECEIVED

MAR 06 2017

VIA FAX AND U.S. MAIL

Honorable Steven B. Berlin
U.S. Department of Labor
Office of Administrative Law Judges
90 Seventh Street, Suite 4-800
San Francisco, CA 94103-1516

Office of Administrative Law Judges
San Francisco, Ca

Re: ***Office of Federal Contract Compliance Programs,
United States Department of Labor v. Google Inc.***
Case No.: 2017-OFC-00004

Ex Parte Request for Continuance of Hearing

Dear Judge Berlin:

On behalf of Google, we are writing to request a further brief continuance on the hearing in this matter.

On the afternoon of February 28, 2017, the Court held a telephonic conference with counsel for both parties, in response to the parties' February 27, 2017 stipulated request for continuance of the March 10, 2017 hearing, based on the unavailability of Google's counsel, and the unavailability of an OFCCP witness. The parties requested a continuance to March 16, 2017; however, the Court was unavailable due to a pre-existing conflict in the Court's calendar. The Court moved the hearing date to March 21, 2017, a day that counsel for both sides are available.

On February 28, 2017, shortly after the conference call ended, counsel for Google became aware for the first time that its client is unavailable on March 21, 2017. Amy Lambert, Vice President in the Legal Department at Google, is supervising this matter. (Declaration of Amy Lambert, ¶ 1, enclosed.) Ms. Lambert is unavailable the entire week of March 20, 2017 because she is traveling out of state to assist her mother, who is undergoing surgery that week. (*Id.* at ¶ 4.)

On March 1, 2017, counsel for Google met and conferred with counsel for OFCCP by telephone. Google advised OFCCP that its client was unavailable the entire week of March 20, 2017, for the reasons stated above. Google also advised OFCCP that Lisa Sween, counsel for

Google, is unavailable the entire week of March 27, 2017, due to pre-existing international travel. Google further advised OFCCP that both Ms. Lambert and Ms. Sween are available the week of April 3, 2017, with the exception of Thursday April 6, 2017. Google requested that OFCCP join Google in a stipulated request to continue. OFCCP stated that it would not agree.

For good cause shown due to the scheduling conflicts described above, Google respectfully requests that the Court briefly continue the hearing to a date during the week of April 3, 2017. Google and its counsel are available any day that week, with the exception of Thursday, April 6, 2017.

Very truly yours,

JACKSON LEWIS P.C.



Lisa Barnett Sween

LBS/mds

cc: Matthew J. Camardella, Esq. (via email)
Daniel V. Duff, Esq. (via email)
Antonio Raimundo, Esq. (via email)
Ian Eliasoph, Esq. (via email)
Marc A. Pilotin, Esq. (via email)

**UNITED STATES DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

OFFICE OF FEDERAL CONTRACT
COMPLIANCE PROGRAMS, UNITED
STATES DEPARTMENT OF LABOR,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No.: 2017-OFC-00004

**DECLARATION OF AMY LAMBERT IN SUPPORT OF DEFENDANT'S EX PARTE
REQUEST FOR CONTINUANCE**

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MAR 06 2017

**Office of Administrative Law Judges
San Francisco, CA**

I, Amy Lambert, declare:

1. I have personal knowledge of the facts set forth below and, if called as a witness, can competently testify to them. I am Vice President in the Legal Department at Defendant Google Inc. ("Google"). I represent Google and supervise our outside counsel in the above-captioned matter.

2. On February 27, 2017, Google and OFCCP sent the Court a stipulated request to continue the hearing in this matter to March 16, 2017. Google requested March 16, 2017 because counsel for Google and I were both available to appear at the hearing that day.

3. On February 28, 2017, counsel for Google Daniel Duff, Esq. informed me that the Court conducted a telephonic conference that day regarding the parties' stipulated request. Mr. Duff advised me that during the conference, the Court advised counsel that it was unavailable on March 16, 2017, and the Court and the participants agreed to continue the hearing in this matter to March 21, 2017.

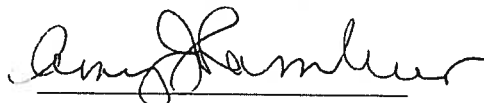
4. I am unavailable the entire week of March 20, 2017, including March 21, 2017. During that week, I am traveling out of California to visit my mother, who is scheduled to undergo surgery. I had not had the opportunity to advise counsel of this until recently.

5. I expect to be out of the state for at least one week.

6. I am available on the following dates during the first week of April: April 3 – 7, 2017.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Dated: March 2, 2017



Amy Lambert